HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6466 OF 2006.

Rohit Cotton Company & Anr. ..Petitioners.

Versus.

Mittal Tower Premises Co-op. Society Ltd. ..Respondent.

Mr. T. N. Subramaniam i/b Mehta & Girdharlal for the petitioner.

Mr. Mehta with Shrikant Shah for the respondents.

CORAM: S.J. VAZIFDAR, J.

DATE: JANUARY 18, 2007.

P.C.

1. Mr. T.N. Subramaniam i/b Mheta & Girdharlal states that a sum of Rs. 7 lacs shall be deposited with the society on or before 8th February 2007. Undertaking is accepted. The Society shall be entitled to accept the said amount only on the condition of its undertaking to repay the same if so ordered by the Court in the pending appeal before the Co-operative Appellate Tribunal.

2. Mr. T.N. Subramaniam further states that

the petitioner shall pay all the outgoings from September 2006 onwards. The society is at liberty to accept the same without prejudice to its rights and contentions. Mr. T.N. Subramaniam clarifies that this will not include the amount which are in dispute for the period prior thereto.

3. Petition is accordingly disposed of.